



## **WCRS Code of Ethics**

### **Preamble**

The Code of Ethics of the World College of Refractive Surgery & Visual Sciences (WCRS) applies to the Fellows, members and leadership of the WCRS. The Code impacts our collaborative relationships with stakeholders in the Industry of Refractive Surgery.

This code is enforceable by the Board of the WCRS and violations can result in certain actions including inquiry and involving resolution of said violations appropriate to meet the standards of the Code of Ethics established by the World College of Refractive Surgery & Visual Sciences.

Before we become Refractive Surgeons we are ophthalmologists and physicians first. That is our heritage and part of the DNA of that lineage is ethics and integrity. Standards of ethics and integrity are vital for respect for yourself, respect from your peers and the trust of the patients and the general public.

### **Basic Principles of Ethics in Refractive Surgery**

The Code of Ethics of Refractive Surgery is founded on the following principles that are aspirational as standards of exemplary professional conduct for the associates, fellows or any member class of refractive surgeons of the WCRS.

The basis of these principles of the Code of Ethics for revolves around the sanctity of the surgeon-patient relationship.

#### **1) Ethics in Refractive Surgery**

Ethics addresses appropriate and reasonable conduct and behavior related to a set of ethical standards that serves the best interests of the patient.

#### **2) Responsibility of Refractive Surgeons**

The first responsibility of a Refractive Surgeon is to always act in the best interests of the patient.

### **3) Refractive Surgery Services**

Refractive Surgery services should be provided with compassion, respect, honesty and integrity.

### **4) Competency in Refractive Surgery**

The Refractive Surgeon must meet and maintain a professionally recognized standard of competence in the field of Refractive Surgery that includes technical ability, cognitive knowledge and ethical concern to make acceptable and appropriate decisions regarding the patient's management.

### **5) Patient Communications**

It is the responsibility of the Refractive Surgeon, the auxiliary staff or subordinates, to engage in communication with patients in a manner that is clear and informative to properly set patient expectations regarding their refractive procedure or treatment.

The refractive surgeon, staff and clinic should maintain open and appropriate communication with the patients in accordance with all professional and legal standards of confidentiality.

### **6) Fee for Service.**

Refractive Surgeons and their office or staff must clearly explain and detail patient fees in relation to the need and appropriateness of the service performed or the procedure provided as well as the financial responsibilities of the patient.

### **7) Social Consciousness.**

Refractive Surgeons should be aware of the existence of basic inequalities in healthcare delivery in their communities, country and society as a whole. Part of the social consciousness of the provider is to positively impact the health and well being of the patients and the improvement of healthcare in the community by providing, supporting or helping secure appropriate and cost-effective care for Refractive Surgery patients who are in need.

### **8) Transparency of Qualifications**

Refractive Surgery is a specialty in eye care and surgery that treats a defined group of otherwise healthy patients seeking elective vision correction for a specified refractive error through a highly specialized subset of medical or surgical or medical refractive procedures.

The World College of Refractive Surgery & Visual Sciences believes that transparency of qualifications through credentialing is the best way to establish public and patient trust in Refractive Surgery.

A Refractive Surgeon should only perform those procedures in which they have achieved competence by virtue of education, verified training, or experience confirmed by appropriate credentialing. A Refractive Surgeon must not misrepresent credentials, training or experience.

Maintenance of certification provides a level of verifiable credentials that is recognized as the most credible way to frame your experience and standing within your profession and to your patients.

Refractive surgeons shall not improperly advertise or present themselves as possessing unfounded, inflated, or questionable professional credentials, surgical experience or expertise in a manner that misleads patients or the general public

## **9) Ethics in Advertising**

Direct-to-patient advertising, once considered unethical, unprofessional and even banned by the AMA, was forced on the medical profession by the Supreme Court in 1975.

Marketing is recognized as part of the practice of a refractive surgeon. The WCRS has proposed that a physician may publicize him or herself through any commercial publicity or communication available with the understanding that this professional communication:

- 1) shall not be misleading because of the omission of necessary material information.
- 2) shall not contain any false or misleading statement.
- 3) shall not otherwise operate in a way to inflate claims, mislead, or deceive the public.

Advertising that is both truthful and not misleading is not fundamentally unethical. Untrue statements in advertising are distinctly forbidden by law.

The content, presentation, and framing of marketing initiatives can cross ethical borders when it intentionally makes dubious claims or creates an image or practice pattern that will not withstand cursory or close scrutiny by a surgeon's professional peers or the general public.

## **10) Ethics in Manufacturer Direct-to-Patient Advertising**

The WCRS desires to develop a stronger collaboration with ophthalmic corporations and industry in shared ethical communication to the public.

The WCRS promotes good communication with patients concerning the appropriate role certain procedures or technology may have as a vital aspect of patient care.

The WCRS believes the Physician-Patient relationship remains the best way to present the differences between the vast number of available contrasting and competitive technologies and treatments that are believed to have the greatest value and the most meaningful impact on the individual patient's particular care.

Certain aspects of direct-to-patient advertising by manufacturers can at times unintentionally create confusion for patients or the general public who may not be properly aware or fully understand the role of sophisticated technology that may best be applied or utilized for their particular case.

If a problem or disagreement arises from of an advertisement that may have a questionable effect on patient understanding of communication, the WCRS wants to work closely with ophthalmic manufacturers and companies to resolve such issues and problems ethically with the objective of raising the quality of patient care and improving treatment outcomes in Refractive Surgery through better communication to patients regarding technologies and treatment modalities.

## **11) Ethics in Manufacturer-Physician Relationships.**

The WCRS desires to develop a stronger relationship with ophthalmic corporations and industry as both investors and partners.

Close relationships between physicians, the WCRS, manufacturers, and ophthalmic corporations are necessary, ethical and can vary widely.

An incomplete list of such ethical associations can be as an investor, corporate officer, member of the scientific advisory board, speakers bureau, collaborator in an industry-funded study, a patent or copyright holder, participant in funded research, a principle in a start-up venture, KOL, or a consultant.

For that relationship physicians or organizations may ethically and properly receive something of value, which can be in the form of salary, stock, contracts, grants, honoraria, gifts, promotional material, meals, travel, lodging, research funding, preferred access to technology, FDA investigative positions, sponsored continuing medical education, or even participation as a principal investor.

The WCRS, physicians, corporate sponsors, partners and patients have benefited and can continue to benefit from these arrangements in an entirely ethical and legal manner with the resultant mutual benefit of patient care in refractive surgery as long as we both recognize that our mutual fiduciary duty is to the patient in these relationships to avoid conflicts of interests in the physician-patient relationship.

For industry and manufacturers it is understood and proper that their fiduciary duty usually resides primarily in the relationship between the company and their stockholders and investors. The fiduciary duty of the physician is to the patient and primarily resides in the physician- patient relationship.

While clearly there are defined legal implications in both types of relationships, the differences in the ethical implications of each relationship can sometimes give rise to conflicts of interests between physicians and some for-profit medical corporations.

The WCRS seeks partnership with companies in a manner that the checks and balances of our mutual interests properly avoids these conflicts of interest in patient care.

## **12) Conflicts of Interests**

A conflict of interests exists when professional judgment concerning the well-being of the patient has a reasonable chance of being influenced by other interests of the provider. Disclosure of those conflicts of interest is required in all communications to patients, the public or colleagues.

The WCRS is a physician-led ,for-profit social benefit corporation. It necessarily has a fiduciary duty to all its internal and external stakeholders, notably including physicians and their patients.

If any situation arises that can possibly create a clear and present danger either legally or ethically that involves patient care, the responsibility of the gatekeeper clearly belongs to the physician and the physician-patient relationship. The concerns and interests of the WCRS and it's stockholders must take a subservient position that mirrors and supports that responsibility.

## **13) Ethics of the WCRS as a Uniquely Collaborative Organization**

The WCRS is an independent collaborative organization . The WCRS desires not to be a political organization in the sense that we are not about politics and power or competition.

The goal of the WCRS is to help provide credentialing in Refractive Surgery through accreditation for programs, organizations, and training facilities as well as certification for surgeons.

It is our belief that we can achieve harmony through close established coalitions with organizations and regional leadership so that Refractive Surgery will have a stronger voice in a shared mutual interest with the goals of the WCRS. We pledge to work with everyone who accepts our offer and our hope to work together towards the shared purpose of a stronger and brighter future for the specialty of Refractive Surgery.

The mission of the WCRS is driven by these goals of collaboration and purpose. All educational partners, programs and periodicals can work freely with the WCRS and feel unfettered from any interference from the WCRS in the operations of their organization. The WCRS feels that collaboration with these groups is an absolutely necessary basis for operating in the healthcare space.

The WCRS desires to be inclusive and not exclusive. We will work closely with other professional societies, organizations, residency programs, ophthalmologists, collaborative optometrists, ophthalmic technicians, and nurses as well as corporate manufacturers and healthcare companies to achieve this common goal.

## **14) The Globalization of Education**

The Global Pandemic has drastically changed the reality and current ecology of education in Refractive Surgery to become more global and ethically inclusive in recent years through the necessity of virtual education and programming.

An important lesson of the Pandemic for all stakeholders in the Industry of Refractive Surgery was that virtual education and training is now far more ubiquitous, readily available, globally oriented , cost-effective and time-effective than ever before.

Refractive Surgeons are increasingly beginning to get their information from international colleagues and global organizations. The WCRS recognizes the reality of this globalization of education and feels all stakeholders must embrace these changes and accept and understand that the historic traditional ways of conducting meetings have lost a certain relevance. Times are changing and we must change with them.

Traditional regulated KOL-style content, while needed and largely ethical, has evolved to the more open, unbiased content and international flavor of virtual education that has opened the eyes of Refractive Surgeons The WCRS believes we can establish an ethical format that works better for all parties involved.

These industry changes have drastically impacted the returns for manufacturer and industry participation in education for Refractive Surgery. The WCRS feels there are ways to counterbalance this effect in a collaborative partnership with both manufacturers and teaching organizations worldwide.

In this light the WCRS wants to collaborate with all stakeholders to help lead and shape changing practice patterns worldwide. This allows other international voices to be raised and change the worldview of the practice of Refractive Surgery as a global medium.

## **15) The Importance of Ethics of Integrity and Public Trust**

The affection and respect we command from the day we graduated from Medical School and going forward as doctors of medicine are not things to take for granted and certainly not entirely of our own making.

This position of public trust has been earned for us by the decency and humanity of countless generations of good doctors of all faiths that have gone before us over the past 3000 years. We must hold the magnificent heritage of these doctors and mentors in our own hands to preserve and protect for future generations of Refractive Surgeons in our profession.

As the practice of medicine grows more complex in the modern world and the rise of digital media becomes more pervasive, the internet and social media has produced a world that is awash with both information and misinformation. This new world exhibits an alien environment that can unfortunately display a noticeable lack of understanding by patients and the general public. Digital media can expand the reach of our marketing while it simultaneously diminishes our control over the narrative.

We must try to control the narrative of Refractive Surgery as the last place reserved exclusively for Refractive Surgeons and the physician-patient relationship.

We can avoid contributing to the strains of our social fabric as we see all its cracks and weaknesses in the new millennium by strengthening that relationship and the public trust through embracing the principles presented here in this Code of Ethics.

The modern world needs physicians to be more ethically aware, involved and socially conscious as we are the first foundation of excellence in surgical care and last line of defense of professional integrity.